

Exhibit 1

From: [Wells, Molly](#)
To: [Kovalenko, Nina](#); [Ritschard, Connor](#); [Paschal, Hogan](#); [Ehrlich, Andrew J](#); [Karp, Brad S](#); [Beer, Alex](#)
Cc: [Miller, Kerry](#); [Joseph Kaye](#); [Adam Moskowitz](#); "[DBoies@bsfllp.com](#)"; [John Rodstrom](#); [Barbara C. Lewis](#); [Rejane Passos](#); [Joseph Saveri](#); [Jose Ferrer](#); [desiree@markmigdal.com](#); [Robert Lieff](#); [Christopher Young](#); [Itak Moradi](#); [Louis Kessler](#); [David Lerch](#); [Swanson, James R.](#); [Reichard, Benjamin D.](#); [Veith, Rebekka C.](#)
Subject: RE: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)
Date: Friday, February 2, 2024 4:09:11 PM

Good afternoon, Nina,

Thank you for taking the time to speak with me this morning.

We are going to take the weekend to continue thinking of possible solutions to the issues I outlined in my email of yesterday afternoon. We welcome you all to do the same and, to the extent possible, to engage your client regarding the matters discussed.

Thanks again.

Best,

Molly Wells
mwells@fishmanhaygood.com

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From: Wells, Molly <mwells@fishmanhaygood.com>
Sent: Friday, February 2, 2024 9:44 AM
To: Kovalenko, Nina <nkovalenko@paulweiss.com>; Ritschard, Connor <critschard@paulweiss.com>; Paschal, Hogan <hpaschal@fishmanhaygood.com>; Ehrlich, Andrew J <aehrlich@paulweiss.com>; Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>
Cc: Miller, Kerry <kmiller@fishmanhaygood.com>; Joseph Kaye <joseph@moskowitz-law.com>; Adam Moskowitz <Adam@moskowitz-law.com>; 'DBoies@bsfllp.com' <dboies@BSFLLP.com>; John Rodstrom <john@moskowitz-law.com>; Barbara C. Lewis <barbara@moskowitz-law.com>; Rejane Passos <rejane@moskowitz-law.com>; Joseph Saveri <jsaveri@saverilawfirm.com>; Jose Ferrer <jose@markmigdal.com>; desiree@markmigdal.com; Robert Lieff <rlieff@lieff.com>; Christopher Young <cyoung@saverilawfirm.com>; Itak Moradi <imoradi@saverilawfirm.com>; Louis Kessler <Lkessler@saverilawfirm.com>; David Lerch <dlerch@saverilawfirm.com>; Swanson, James R. <swanson.james.r@saverilawfirm.com>

<jswanson@fishmanhaygood.com>; Reichard, Benjamin D. <breichard@fishmanhaygood.com>; Veith, Rebekka C. <rveith@fishmanhaygood.com>
Subject: RE: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)

Great, thank you. I'll send a calendar invite shortly.

Best,

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From: Kovalenko, Nina <nkovalenko@paulweiss.com>
Sent: Friday, February 2, 2024 9:42 AM
To: Wells, Molly <mwells@fishmanhaygood.com>; Ritschard, Connor <critschard@paulweiss.com>; Paschal, Hogan <hpaschal@fishmanhaygood.com>; Ehrlich, Andrew J <aehrlich@paulweiss.com>; Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>
Cc: Miller, Kerry <kmiller@fishmanhaygood.com>; Joseph Kaye <joseph@moskowitz-law.com>; Adam Moskowitz <Adam@moskowitz-law.com>; 'DBoies@bsfllp.com' <dBoies@BSFLLP.com>; John Rodstrom <john@moskowitz-law.com>; Barbara C. Lewis <barbara@moskowitz-law.com>; Rejane Passos <rejane@moskowitz-law.com>; Joseph Saveri <jsaveri@saverilawfirm.com>; Jose Ferrer <jose@markmigdal.com>; desiree@markmigdal.com; Robert Lieff <rlieff@lieff.com>; Christopher Young <cyoung@saverilawfirm.com>; Itak Moradi <imoradi@saverilawfirm.com>; Louis Kessler <Lkessler@saverilawfirm.com>; David Lerch <dlerch@saverilawfirm.com>; Swanson, James R. <jswanson@fishmanhaygood.com>; Reichard, Benjamin D. <breichard@fishmanhaygood.com>; Veith, Rebekka C. <rveith@fishmanhaygood.com>
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You don't often get email from nkovalenko@paulweiss.com. [Learn why this is important](#)

Molly,

Of course we do not refuse to speak if you think it would be helpful. I am available at 11:30. Please send an invite if that works for you.

Thanks,
Nina

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From: Wells, Molly <mwells@fishmanhaygood.com>
Sent: Friday, February 2, 2024 10:36 AM
To: Kovalenko, Nina <nkovalenko@paulweiss.com>; Ritschard, Connor <critschard@paulweiss.com>;
Paschal, Hogan <hpaschal@fishmanhaygood.com>; Ehrlich, Andrew J <aehrlich@paulweiss.com>;
Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>
Cc: Miller, Kerry <kmiller@fishmanhaygood.com>; Joseph Kaye <joseph@moskowitz-law.com>;
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Dear Nina,

Rather than responding to each of your positions here, I will simply note that we disagree with everything you state in your email.

I also note that you have not responded to my request for a time to discuss this matter. If you do not provide a time to talk this morning, we will assume it means that you refuse to do so and will proceed accordingly.

Thanks.

Best,

Molly Wells
mwells@fishmanhaygood.com

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From: Kovalenko, Nina <nkovalenko@paulweiss.com>
Sent: Friday, February 2, 2024 9:14 AM
To: Wells, Molly <mwells@fishmanhaygood.com>; Ritschard, Connor <critschard@paulweiss.com>;
Paschal, Hogan <hpaschal@fishmanhaygood.com>; Ehrlich, Andrew J <aehrlich@paulweiss.com>;
Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>
Cc: Miller, Kerry <kmiller@fishmanhaygood.com>; Joseph Kaye <joseph@moskowitz-law.com>;
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Counsel:

Having failed to find what you were hoping for during your fishing expedition, you cannot now insist on additional discovery that blatantly wades far beyond jurisdiction and into the merits.

As an initial matter, your email mischaracterizes the preparation of both Ms. Chan and Ms. Atherton for their depositions. Although you did not ask Ms. Chan about meetings with counsel, we can confirm that she did, in fact, have such meetings to ensure that she was prepared to testify as to the topics that the Court specified were within the bounds of jurisdictional discovery. The witnesses were fully prepared to testify—and did testify—as to the relationship between the Temasek defendants; the facts set forth in their declarations; and any nexus between the Artz investment, on the one hand, and Florida and California, on the other—which the record on jurisdictional discovery makes abundantly clear is nonexistent. And while you seek to dismiss the discussions that the corporate representatives had with Mr. Agrawal in advance of their depositions, the reason they spoke to him was because—as you know—he was the senior member of the deal team for the Artz investment, and in that capacity was aware of the activities of the entire investment team, and thus would be in a position to know whether he or anyone else on the team knowingly made contact with either Florida or California in connection with their work on the investment. Mr. Agrawal confirmed—as the witnesses testified—that such contacts did not occur. As for the diligence activities that you outline, Ms. Chan was clear that those activities took place in Singapore.

Nor were the witnesses required to study the various FTX contracts and comment on them—the documents speak for themselves. We understand that you would like to depose someone who worked on the FTX investment so that you can learn more about the merits of your case. But that is totally contrary to and inconsistent with the limited jurisdictional discovery that the Court permitted. You were entitled to discover where the relevant activities were carried out, and you've now learned that: they happened in Singapore. And while you have sworn testimony confirming these points—which we also shared with you a year ago when you filed your case—you don't need to take the witnesses' word for it. We searched for documents evincing any interactions between the Temasek defendants and FTX that involved contacts with either Florida or California, and found none. In short, you have no basis whatsoever to question either the facts in Ms. Chan's or Ms. Atherton's declarations, or their deposition testimony. We understand this result is disappointing, but it doesn't mean that you get to dig further. It means that jurisdictional discovery—which closed yesterday—confirmed that there is no jurisdiction over either Temasek Holdings or Temasek USA in either California or Florida.

Regards,
Nina

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From: Wells, Molly <mwells@fishmanhaygood.com>
Sent: Thursday, February 1, 2024 3:55 PM
To: Kovalenko, Nina <nkovalenko@paulweiss.com>; Ritschard, Connor <critschard@paulweiss.com>;
Paschal, Hogan <hpaschal@fishmanhaygood.com>; Ehrlich, Andrew J <aehrlich@paulweiss.com>;
Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>
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Dear Nina,

Having completed the depositions of Temasek Holdings Pte. Ltd. ("Temasek Holdings") and Temasek

International (USA) LLC (“Temasek USA”) and reviewed the rough transcripts, we have concerns with respect to the corporate representatives’ preparations to testify regarding even your limited interpretation of Judge Moore’s and Magistrate Judge Sanchez’s orders on Plaintiffs’ motion to take jurisdictional discovery and motion to compel, respectively.

In your January 28, 2024 email, you stated that the witnesses would be “prepared to testify on the following topics, in accordance with the Court’s order: the jurisdictional facts set forth in their declarations submitted with defendants’ motion to dismiss; the relationship between Temasek Holdings and Temasek USA (which is also covered in the declarations); and any contacts with Florida or California in connection with the Artz investment.” Although we do not agree that the Court’s order was so limited, we proceeded with the depositions given the inordinately short timeline in which we were operating and with a belief that we would be able to resolve any disputes in real time. But what we found is that the witnesses were not prepared to testify even to the information you outlined in your email.

Belinda Chan, the Temasek International Pte. Ltd. (“Temasek International”) employee who testified on behalf of Temasek Holdings, testified that all she did to prepare for the deposition was to review the declaration she previously submitted, review the supplemental interrogatory responses that she previously verified, and have one conversation with Pradyumna Agrawal (one of the Temasek International employees who was identified in the supplemental interrogatories as having a role with respect to the FTX investments) months after submitted the declaration and during the week before the deposition. She further admitted that the process she followed for the declaration was to have “counsel help[] to prepare” it and then to have internal counsel obtain Mr. Agrawal’s confirmation that what counsel/she said in the declaration about him and his activities were correct. The declaration in a conclusory manner and without any explanation disavows any “activities in Florida or California” in relation to the FTX investments. The week before she gave her deposition, she had one conversation with Mr. Agrawal to confirm the conclusory contents of her declaration. Although Temasek Holdings’s website specifies that, as part of its due diligence in conjunction with the FTX investment, it, e.g., “reviewed FTX’s audited financial[s]”; obtained advice from “external legal and cybersecurity specialists in key jurisdictions” with “legal and regulatory review”; “gathered qualitative feedback on [FTX] and management team based on interviews with people familiar with the company, including employees, industry participants, and other Investors”; obtained “legal and regulatory due diligence” from “[e]xternal legal counsel for key jurisdictions”; “engaged FTX management on addressing [its] leadership gaps in the lead up to and post-investment”; and “continued to monitor performance and engage management on business strategy, as well as legal, policy and regulatory matters” post investment, Ms. Chan could testify to none of it or whether any of it involved communications or engagements in the relevant jurisdictions. Further, although Judge Sanchez ordered Temasek Holdings to produce certain documents as part of the jurisdictional discovery (and those documents include contracts executed by Mr. Agrawal and certain FTX entities based in California), Ms. Chan had not reviewed those documents and was not prepared to testify to their contents as allegedly “beyond the scope” of Moore’s and Sanchez’s orders. Jane Atherton, who testified for Temasek USA, revealed that her preparations were similarly limited.

This is plainly insufficient. To remedy Plaintiffs’ concerns, Plaintiffs propose to have Temasek produce a witness with actual knowledge regarding the activities outlined on Temasek’s website and

repeated above as well as Temasek's production—i.e., Pradyumna Agrawal. Alternatively, Plaintiffs propose to have Temasek produce the underlying documents related to those above-described activities—i.e., any memos, communications, calendar entries, contracts with specialists in “key jurisdictions,” interview notes, expense reimbursements, and all FTX Advisory Board-related materials—which should reveal whether in fact Temasek engaged in any contacts with Florida or California.

We would like to set up a time to discuss the foregoing as soon as possible.

Thank you.

Best,

Molly Wells
mwells@fishmanhaygood.com

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From: Kovalenko, Nina <nkovalenko@paulweiss.com>
Sent: Sunday, January 28, 2024 1:23 PM
To: Wells, Molly <mwells@fishmanhaygood.com>; Ritschard, Connor <critschard@paulweiss.com>; Paschal, Hogan <hpaschal@fishmanhaygood.com>; Ehrlich, Andrew J <aehrlich@paulweiss.com>; Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>
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Counsel,

We write in response to your questions from yesterday, and to confirm additional points with respect to this week's depositions.

First, purely for the sake of convenience and efficiency in this expedited period of limited jurisdictional discovery, Temasek Holdings agrees to waive the requirements of Federal Rule of Civil Procedure 28(b) in connection with its deposition, although we reserve all rights, including under this rule, with respect to any future depositions.

Second, we have already conducted a good-faith, reasonable search for documents responsive to Request Nos. 29 and 37 insofar as they relate to contacts with either Florida or California, as previously set forth in defendants' R&Os. We found no responsive documents. This should be entirely unsurprising to you, given that we have been completely forthcoming since you first filed this suit that Artz's investment in FTX has no nexus to Florida or California. Declarants from Temasek Holdings and Temasek USA further set forth those relevant facts, including specific facts as to the lack of contacts, in the declarations we submitted with our motion to dismiss.

Nevertheless, we conducted a reasonable search for documents in response to plaintiffs' request. We can confirm that we searched the files of every member of the Artz deal team: Pradyumna Agrawal, Antony Lewis, and Chen Sijia. Our search of three custodians' files was more than reasonable and was an effort to be comprehensive in a final effort to demonstrate that plaintiffs' attempt to manufacture US jurisdiction over the Temasek defendants is baseless. We will not agree, however, to your eleventh hour request to also search the files of two Singapore lawyers, Jason Norman Lee and Rodney Gavin Edgerton. Such a search would be unduly burdensome both in light of our search of the deal team members' files, and in light of the overwhelmingly privileged nature of those custodians' documents. To be clear, their involvement in the Artz investment was in a legal capacity.

We can also share that we ran the following broad search string in an effort to capture any potentially responsive documents: (SBF or "Bankman-Fried" OR "Bankman Fried" OR Friedberg OR Ramnik OR Arora OR (Can w/3 Sun) OR Ellison OR FTX OR Alameda OR "North Dimension" OR "LedgerX") /20 (met OR meet* OR talk* OR discuss* OR interact* OR call OR called) AND (Florida OR California OR "FL" OR "CA" OR "Cal" OR "FLA" OR "CALI")

Thus, our searches in response to Request Nos. 29 and 37 are complete, and returned no responsive documents.

Finally, we note that the amended deposition notices served on the Temasek defendants on Tuesday, January 23 attached the same overly broad deposition topics that were attached to plaintiffs' prior notices. Given Judge Sanchez's rulings concerning the scope of jurisdictional discovery, we assume this was an error. The Temasek Holdings and Temasek USA witnesses will be prepared to testify on the following topics, in accordance with the Court's order: the jurisdictional facts set forth in their declarations submitted with defendants' motion to dismiss; the relationship between Temasek Holdings and Temasek USA (which is also covered in the declarations); and any

contacts with Florida or California in connection with the Artz investment.

Regards,
Nina

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Pronouns: She/Her

From: Wells, Molly <mwells@fishmanhaygood.com>
Sent: Saturday, January 27, 2024 1:42 PM
To: Ritschard, Connor <critschard@paulweiss.com>; Kovalenko, Nina <nkovalenko@paulweiss.com>;
Paschal, Hogan <hpaschal@fishmanhaygood.com>; Ehrlich, Andrew J <aehrlich@paulweiss.com>;
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Veith, Rebekka C. <rveith@fishmanhaygood.com>
Subject: RE: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)

Dear Connor,

We've reviewed your production, but we have not located any documents related to your client's contacts with the forums, which you agreed to produce in your responses to Plaintiffs' RFPs (specifically, RFP Nos. 29 and 37). Please let us know asap whether any such documents are forthcoming and, if so, when we should expect to receive them. As you know, we are on an extremely tight timeline.

To the extent you are waiting to negotiate search parameters, we'd like to get the ball rolling today. Plaintiffs believe that the proper custodians are those that Temasek Holdings named in its amended response to Plaintiffs' Interrogatory No. 3 (i.e., Pradyumna Agrawal, Antony Lewis, Chen Sijia, Rodney Gavin Edgerton, and Jason Normal Lee) and that reasonable search terms would include:

- Miami
- Florida
- Bankman-Fried
- SBF
- Ramnik

- Arora
- Avinash
- Dabir
- FTX
- Alameda
- West Realm Shires
- WRS
- LedgerX
- Zach
- Dexter
- Salame
- North Dimension
- Advisory Board
- Berkeley
- Paper Bird
- Natalie
- Tien

Plaintiffs assume that application of the search terms would not be case-sensitive, and that, e.g., a search for “FTX” would return any “ftx.com” emails. Plaintiffs further assume that in culling hits for those that relate only to “contacts with either Florida or California,” you would preserve/produce documents evidencing not just in-person meetings but also, e.g., phone conferences or virtual/remote meetings with anyone with a Florida/California presence.

We look forward to hearing from you.

Best,

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From: Ritschard, Connor <critschard@paulweiss.com>
Sent: Thursday, January 25, 2024 11:21 AM

To: Kovalenko, Nina <nkovalenko@paulweiss.com>; Paschal, Hogan <hpaschal@fishmanhaygood.com>; Wells, Molly <mwells@fishmanhaygood.com>; Ehrlich, Andrew J <AЕhrlich@paulweiss.com>; Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>

Cc: Miller, Kerry <kmiller@fishmanhaygood.com>; Joseph Kaye <joseph@moskowitz-law.com>; Adam Moskowitz <Adam@moskowitz-law.com>; 'DBoies@bsflp.com' <dBoies@BSFLP.com>; John Rodstrom <john@moskowitz-law.com>; Barbara C. Lewis <barbara@moskowitz-law.com>; Rejane Passos <rejane@moskowitz-law.com>; Joseph Saveri <jsaveri@saverilawfirm.com>; Jose Ferrer <jose@markmigdal.com>; desiree@markmigdal.com

Subject: RE: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)

Some people who received this message don't often get email from critschard@paulweiss.com. [Learn why this is important](#)

Counsel:

Per the attached correspondence, we will soon be sending you an FTP link to the referenced production.

Regards,
Connor

Connor J Ritschard | Associate
Paul, Weiss, Rifkind, Wharton & Garrison LLP
1285 Avenue of the Americas | New York, NY 10019-6064
+1 212 373 3653 (Direct Phone) | +1 212 492 0653 (Direct Fax)
critschard@paulweiss.com | www.paulweiss.com

From: Ritschard, Connor
Sent: Monday, January 22, 2024 7:57 PM
To: Kovalenko, Nina <nkovalenko@paulweiss.com>; Paschal, Hogan <hpaschal@fishmanhaygood.com>; Wells, Molly <mwells@fishmanhaygood.com>; Ehrlich, Andrew J <AЕhrlich@paulweiss.com>; Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>

Cc: Miller, Kerry <kmiller@fishmanhaygood.com>; Joseph Kaye <joseph@moskowitz-law.com>; Adam Moskowitz <Adam@moskowitz-law.com>; 'DBoies@bsflp.com' <dBoies@BSFLP.com>; John Rodstrom <john@moskowitz-law.com>; Barbara C. Lewis <barbara@moskowitz-law.com>; Rejane Passos <rejane@moskowitz-law.com>; Joseph Saveri <jsaveri@saverilawfirm.com>; Jose Ferrer <jose@markmigdal.com>; desiree@markmigdal.com

Subject: RE: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)

Counsel:

Please find Supplemental Responses and Objections to Plaintiffs' Interrogatories attached.

Regards,

Connor

Connor J Ritschard | Associate

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From: Kovalenko, Nina <nkovalenko@paulweiss.com>

Sent: Monday, January 22, 2024 10:18 AM

To: Paschal, Hogan <hpaschal@fishmanhaygood.com>; Wells, Molly

<mwells@fishmanhaygood.com>; Ehrlich, Andrew J <aehrlich@paulweiss.com>; Karp, Brad S

<bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>

Cc: Miller, Kerry <kmiller@fishmanhaygood.com>; Joseph Kaye <joseph@moskowitz-law.com>; Adam Moskowitz <Adam@moskowitz-law.com>; 'DBoies@bsfllp.com' <dBoies@BSFLLP.com>; John Rodstrom <john@moskowitz-law.com>; Barbara C. Lewis <barbara@moskowitz-law.com>; Rejane Passos <rejane@moskowitz-law.com>; Joseph Saveri <jsaveri@saverilawfirm.com>; Jose Ferrer <jose@markmigdal.com>; desiree@markmigdal.com; Ritschard, Connor <critschard@paulweiss.com>

Subject: RE: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)

Counsel:

As you know, Temasek Holdings (Private) Limited and/or Temasek International (USA) LLC will be producing documents this week in accordance with the court's January 19, 2024 order. We have prepared the attached Confidentiality Stipulation and Protective Order to govern any document productions, along with any other discovery provided. Please confirm your agreement as soon as possible and let us know what signature blocks we should use for plaintiffs.

Regards,
Nina

Nina Kovalenko | Partner

Paul, Weiss, Rifkind, Wharton & Garrison LLP

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nkovalenko@paulweiss.com | www.paulweiss.com

Pronouns: She/Her

From: Kovalenko, Nina

Sent: Sunday, January 21, 2024 8:46 AM

To: Paschal, Hogan <hpaschal@fishmanhaygood.com>; Wells, Molly

<mwells@fishmanhaygood.com>; Ehrlich, Andrew J <Aehrlich@paulweiss.com>; Karp, Brad S

<bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>

Cc: Miller, Kerry <kmiller@fishmanhaygood.com>; Joseph Kaye <joseph@moskowitz-law.com>; Adam Moskowitz <Adam@moskowitz-law.com>; 'DBoies@bsfllp.com' <dBoies@BSFLLP.com>; John

Rodstrom <john@moskowitz-law.com>; Barbara C. Lewis <barbara@moskowitz-law.com>; Rejane Passos <rejane@moskowitz-law.com>; Joseph Saveri <jsaveri@saverilawfirm.com>; Jose Ferrer <jose@markmigdal.com>; desiree@markmigdal.com; Ritschard, Connor <critschard@paulweiss.com>

Subject: RE: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)

Counsel:

I am writing to provide availability for the depositions of Temasek Holdings and Temasek USA.

For Temasek Holdings, the witness, Belinda Chan Hian Wun, is available on Monday, January 29, from 8 p.m. EST – 12 a.m. EST.

For Temasek USA, the witness, Jane Atherton, is available on Wednesday, January 31, from 9 a.m. EST to 1 p.m. EST.

Thanks,
Nina

Nina Kovalenko | Partner

Paul, Weiss, Rifkind, Wharton & Garrison LLP

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Pronouns: She/Her

From: Kovalenko, Nina

Sent: Monday, January 15, 2024 11:20 AM

To: 'Paschal, Hogan' <hpaschal@fishmanhaygood.com>; Wells, Molly <mwells@fishmanhaygood.com>; Ehrlich, Andrew J <AEhrlich@paulweiss.com>; Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>
Cc: Miller, Kerry <kmiller@fishmanhaygood.com>; Joseph Kaye <joseph@moskowitz-law.com>; Adam Moskowitz <Adam@moskowitz-law.com>; 'DBoies@bsfllp.com' <dBoies@BSFLLP.com>; John Rodstrom <john@moskowitz-law.com>; Barbara C. Lewis <barbara@moskowitz-law.com>; Rejane Passos <rejane@moskowitz-law.com>; Joseph Saveri <jsaveri@saverilawfirm.com>; Jose Ferrer <jose@markmigdal.com>; desiree@markmigdal.com; Ritschard, Connor <critschard@paulweiss.com>

Subject: RE: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)

Hogan:

Thank you for your email. We maintain that the discovery served by plaintiffs on December 22—including 46 document requests, 7 interrogatories, and deposition notices directed to each of Temasek Holdings and Temasek USA—was in no way consistent with the district court’s order December 18 permitting only “limited jurisdictional discovery” and denying a lift of the discovery stay generally. Further, none of the requests were targeted towards the specific factual questions

identified by the court, namely the Temasek defendants' contacts with the forum states and any purported agency relationship between them. Indeed, plaintiffs have asked for, among many other things, extensive information about FTX itself, including its charitable and political contributions; all information about any operations anywhere in the United States, although plaintiffs have sued the Temasek defendants in California and Florida, and allege conspiracy jurisdiction only in Florida (where they know neither defendant has any operations); all documents and work papers concerning defendants' formation, organization, and corporate governance; as well as audited financial statements, tax returns, and banking information.

In the interests of avoiding a dispute, which you have nevertheless pressed, we offered to answer six (nearly all) of plaintiffs' interrogatories and two of plaintiffs' document requests with appropriate narrowing, as set forth in our January 5 letter. As we conveyed during our January 9 meet-and-confer, if plaintiffs have additional limited requests actually targeted toward the relevant factual issues, we would of course consider them, but we do not agree that the court's December 18 order permitted unbridled merits discovery amounting to a fishing expedition designed to bolster plaintiffs' deficient conspiracy claims.

With respect to depositions, we maintain they are unduly burdensome and duplicative, particularly in light of the fact that both Temasek Holdings and Temasek USA served detailed factual affidavits in support of their motion to dismiss, which plaintiffs have failed to contest in any meaningful way. Nevertheless, we offered to provide additional sworn testimony in the form of interrogatory responses. Simply put, there is no relevant piece of information that plaintiffs have not gotten or will get from our affidavits and the discovery responses we have agreed to provide.

The Temasek defendants expect to attach specific objections in line with the above and with our prior correspondence and discussion to our opposition to plaintiffs' motion to compel due tomorrow at noon.

Regards,
Nina

Nina Kovalenko | Partner
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1285 Avenue of the Americas | New York, NY 10019-6064
+1 212 373 3479 (Direct Phone) | +1 212 492 0479 (Direct Fax)
nkovalenko@paulweiss.com | www.paulweiss.com
Pronouns: She/Her

From: Paschal, Hogan <hpaschal@fishmanhaygood.com>
Sent: Thursday, January 11, 2024 8:54 PM
To: Wells, Molly <mwells@fishmanhaygood.com>; Kovalenko, Nina <nkovalenko@paulweiss.com>; Ehrlich, Andrew J <aehrlich@paulweiss.com>; Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>
Cc: Miller, Kerry <kmiller@fishmanhaygood.com>; Joseph Kaye <joseph@moskowitz-law.com>; Adam Moskowitz <Adam@moskowitz-law.com>; 'DBoies@bsflp.com' <dBoies@BSFLP.com>; John Rodstrom <john@moskowitz-law.com>; Barbara C. Lewis <barbara@moskowitz-law.com>; Rejane

Passos <rejane@moskowitz-law.com>; Joseph Saveri <jsaveri@saverilawfirm.com>; Jose Ferrer <jose@markmigdal.com>; desiree@markmigdal.com; Ritschard, Connor <critschard@paulweiss.com>

Subject: RE: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)

Nina,

Following up on the below and in compliance with the Magistrate Judge's orders on the pending motions in advance of next Wednesday's hearing, please confirm whether you will stand on the objections to the discovery served on Temasek Holdings (Private) Limited and Temasek International (USA) LLC on December 22, 2023 (see ECF No. 455, Exhibits 1 and 3), whether you will be withdrawing any of those objections, and what (if any) other specific objections you have regarding the discovery requests pending against your clients.

Please also provide us with confirmed dates for your clients' 30(b)(6) depositions in advance of February 1st, and what documents and responses you are not objecting to producing to us in advance of each of those depositions.

We are happy to have another call if needed upon your written responses to the above. Thank you.

Hogan Paschal
hpaschal@fishmanhaygood.com

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From: Wells, Molly <mwells@fishmanhaygood.com>
Sent: Tuesday, January 9, 2024 2:46 PM
To: 'Kovalenko, Nina' <nkovalenko@paulweiss.com>; Ehrlich, Andrew J <aehrlich@paulweiss.com>; Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>
Cc: Paschal, Hogan <hpaschal@fishmanhaygood.com>; Miller, Kerry <kmiller@fishmanhaygood.com>; Joseph Kaye <joseph@moskowitz-law.com>; Adam Moskowitz <Adam@moskowitz-law.com>; 'DBoies@bsflp.com' <dboies@bsflp.com>; John Rodstrom <john@moskowitz-law.com>; Barbara C. Lewis <barbara@moskowitz-law.com>; Rejane Passos <rejane@moskowitz-law.com>; Joseph Saveri <jsaveri@saverilawfirm.com>; Jose Ferrer <jose@markmigdal.com>; desiree@markmigdal.com; Ritschard, Connor <critschard@paulweiss.com>
Subject: RE: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)

Nina,

My reference to your statement regarding “one or two” requests is an actual quote, which is why I placed it in quotation marks. It is not inaccurate. We have no intention of misrepresenting anything to the court. Furthermore, we are not “intent on filing a motion,” but your position necessitates such action. Don’t worry, we will attach your letter when we do.

Lastly, we are not engaging in a fishing expedition. We are conducting limited jurisdictional discovery, but that does still unfortunately require more than just a handful of requests. We are not being unreasonable here in pushing to receive that to which we are entitled under the law and the court’s order.

Best,

Molly Wells
mwells@fishmanhaygood.com

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New Orleans, Louisiana 70170

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From: Kovalenko, Nina <nkovalenko@paulweiss.com>
Sent: Tuesday, January 9, 2024 2:27 PM
To: Wells, Molly <mwells@fishmanhaygood.com>; Ehrlich, Andrew J <aehrlich@paulweiss.com>; Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>
Cc: Paschal, Hogan <hpaschal@fishmanhaygood.com>; Miller, Kerry <kmiller@fishmanhaygood.com>; Joseph Kaye <joseph@moskowitz-law.com>; Adam Moskowitz <Adam@moskowitz-law.com>; 'DBoies@bsflp.com' <dBoies@BSFLP.com>; John Rodstrom <john@moskowitz-law.com>; Barbara C. Lewis <barbara@moskowitz-law.com>; Rejane Passos <rejane@moskowitz-law.com>; Joseph Saveri <jsaveri@saverilawfirm.com>; Jose Ferrer <jose@markmigdal.com>; desiree@markmigdal.com; Ritschard, Connor <critschard@paulweiss.com>
Subject: RE: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)

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Molly:

It is plainly not accurate that we agreed to respond to only one or two requests total. Our January 5 letter to you lists six interrogatories and two document requests that we would be willing to answer subject to appropriate narrowing. What I said on today's call was that we would consider any additional requests—within reason—to the extent they relate to the types of factual disputes encompassed by the Court's December 18 order permitting "limited jurisdictional discovery" but denying any broader lift of the discovery say—namely, requests that implicate the defendants' conduct with the forum states, if any, and requests concerning plaintiffs' unpledged agency theory. Plaintiffs insist, however, on improperly using jurisdictional discovery not to investigate these purported factual disputes, but as a fishing expedition for other information that plaintiffs are hoping will save their deficient conspiracy allegations from dismissal. That is not the scope of discovery that the Court ordered. Given that you are intent on filing a motion, we expect that you would attach our written offer to any such filing and not misrepresent our position.

I am also going to assume that the January 17 and 18 deposition dates are off the table given your representations on our call that we could not possibly proceed with these dates given our apparent dispute, which we had hoped to work out but that you are insisting on taking to Court.

Regards,
Nina

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nkovalenko@paulweiss.com | www.paulweiss.com
Pronouns: She/Her

From: Wells, Molly <mwells@fishmanhaygood.com>
Sent: Tuesday, January 9, 2024 2:43 PM
To: Kovalenko, Nina <nkovalenko@paulweiss.com>; Ehrlich, Andrew J <aehrlich@paulweiss.com>;
Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>
Cc: Paschal, Hogan <hpaschal@fishmanhaygood.com>; Miller, Kerry
<kmiller@fishmanhaygood.com>; Joseph Kaye <joseph@moskowitz-law.com>; Adam Moskowitz
<Adam@moskowitz-law.com>; 'DBoies@bsflp.com' <dboies@bsflp.com>; John Rodstrom
<john@moskowitz-law.com>; Barbara C. Lewis <barbara@moskowitz-law.com>; Rejane Passos
<rejane@moskowitz-law.com>; Joseph Saveri <jsaveri@saverilawfirm.com>; Jose Ferrer
<jose@markmigdal.com>; desiree@markmigdal.com; Ritschard, Connor
<critschard@paulweiss.com>
Subject: RE: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)

Good afternoon, Nina,

I do not agree with your description of the discussion. I would classify it as follows.

You all asserted that you were willing to be "flexible" but only in that you would be willing to

respond to “one or two” requests and only inasmuch as they exhibited direct contacts with Florida or California. That is plainly insufficient under the law and the court’s order.

We explained that we were willing to work together to trim down our requests to those that best target the following five kinds of documents: the actual FTX investment agreements and related documents, the due diligence documents on the FTX investment, your employees’ service on the FTX Advisory Board, your forum contacts, and documents showing agency/control amongst the Temasek entities involved. You said that this would not be a productive exercise, because you were only willing to produce documents showing Florida/California contacts (and, again, only in response to “one or two” requests). You further argued that you did not understand how the actual written agreements between FTX entities and Temasek entities and/or Temasek’s due diligence and ongoing monitoring documents on the FTX investment could possibly support conspiracy jurisdiction or jurisdiction premised on intentional torts, although you all have argued that conspiracy jurisdiction is lacking due to a lack of agreement between the parties and that we’ve failed to show jurisdiction through intentional torts due in part to a purported lack of knowledge on Temasek’s part. We explained conspiracy jurisdiction under Florida law, and you said that although you understood it “philosophically” you did not think the, e.g., actual written agreements between the parties were relevant.

Regarding the deposition dates, we were clear that we would not proceed with those depositions on those dates unless we’d received the documents in advance. So, your statement is correct if and only if you all have not produced any documents by that time. If you have, then we will need to have another discussion.

We also wish that we could have come to an agreement, but given what you stated on our call, that is clearly not going to occur. We are cognizant of the tight timeline here and were willing to compromise, but I’m afraid responses to “one or two” requests simply will not suffice. We will have to go to the magistrate.

Thanks.

Best,

Molly Wells
mwells@fishmanhaygood.com

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New Orleans, Louisiana 70170
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From: Kovalenko, Nina <nkovalenko@paulweiss.com>
Sent: Tuesday, January 9, 2024 1:05 PM
To: Wells, Molly <mwells@fishmanhaygood.com>; Ehrlich, Andrew J <aehrlich@paulweiss.com>;
Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>
Cc: Paschal, Hogan <hpaschal@fishmanhaygood.com>; Miller, Kerry
<kmiller@fishmanhaygood.com>; Joseph Kaye <joseph@moskowitz-law.com>; Adam Moskowitz
<Adam@moskowitz-law.com>; 'DBoies@bsflp.com' <dBoies@BSFLP.com>; John Rodstrom
<john@moskowitz-law.com>; Barbara C. Lewis <barbara@moskowitz-law.com>; Rejane Passos
<rejane@moskowitz-law.com>; Joseph Saveri <jsaveri@saverilawfirm.com>; Jose Ferrer
<jose@markmigdal.com>; desiree@markmigdal.com; Ritschard, Connor
<critschard@paulweiss.com>
Subject: RE: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)

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Molly,

We are writing to confirm our understanding of Plaintiffs' positions from today's meet and confer concerning the scope of jurisdictional discovery.

As we reiterated, we are willing to work together cooperatively and to consider a compromise on plaintiffs' facially overbroad and unduly burdensome requests (including 7 interrogatories, 46 document requests, and deposition notices directed to each defendant) that is limited to information relevant for the Court's jurisdictional analysis, namely Defendants' ties to the forum states (California and Florida) that relate to FTX, if any, as well as Plaintiffs' agency theory concerning Temasek Holdings (Private) Limited and Temasek International (USA) LLC, although this theory is nowhere pleaded in plaintiffs' complaint. Plaintiffs explained that they are unwilling to limit jurisdictional discovery to these issues because plaintiffs are seeking discovery relating to their conspiracy allegations more generally, in order to develop their conspiracy allegations and argue that jurisdiction in Florida exists on that basis. Based on this dispute, you indicated that further conversations between the parties would be unproductive. We are disappointed with this result and maintain that it would be more productive for the parties and less burdensome for the Court to proceed cooperatively, particularly given the tight timeframe for jurisdictional discovery.

You also agreed that you will not proceed with seeking depositions of the Defendants on January 17 and January 18, as indicated in plaintiffs' notices.

We remain willing to discuss these issues if it would be helpful.

Regards,
Nina

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Pronouns: She/Her

From: Kovalenko, Nina

Sent: Monday, January 8, 2024 7:09 PM

To: 'Wells, Molly' <mwells@fishmanhaygood.com>; Ehrlich, Andrew J <Aehrlrich@paulweiss.com>; Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>

Cc: Paschal, Hogan <hpaschal@fishmanhaygood.com>; Miller, Kerry <kmiller@fishmanhaygood.com>; Joseph Kaye <joseph@moskowitz-law.com>; Adam Moskowitz <Adam@moskowitz-law.com>; 'DBoies@bsfllp.com' <dBoies@BSFLLP.com>; John Rodstrom <john@moskowitz-law.com>; Barbara C. Lewis <barbara@moskowitz-law.com>; Rejane Passos <rejane@moskowitz-law.com>; Joseph Saveri <jsaveri@saverilawfirm.com>; Jose Ferrer <jose@markmigdal.com>; desiree@markmigdal.com; Ritschard, Connor <critschard@paulweiss.com>

Subject: RE: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)

Thanks, Molly. Are you able to send an invitation for that time? Much appreciated.

Nina Kovalenko | Partner

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Pronouns: She/Her

From: Wells, Molly <mwells@fishmanhaygood.com>

Sent: Monday, January 8, 2024 6:49 PM

To: Kovalenko, Nina <nkovalenko@paulweiss.com>; Ehrlich, Andrew J <Aehrlrich@paulweiss.com>; Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>

Cc: Paschal, Hogan <hpaschal@fishmanhaygood.com>; Miller, Kerry <kmiller@fishmanhaygood.com>; Joseph Kaye <joseph@moskowitz-law.com>; Adam Moskowitz <Adam@moskowitz-law.com>; 'DBoies@bsfllp.com' <dBoies@BSFLLP.com>; John Rodstrom <john@moskowitz-law.com>; Barbara C. Lewis <barbara@moskowitz-law.com>; Rejane Passos <rejane@moskowitz-law.com>; Joseph Saveri <jsaveri@saverilawfirm.com>; Jose Ferrer <jose@markmigdal.com>; desiree@markmigdal.com; Ritschard, Connor <critschard@paulweiss.com>

Subject: RE: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)

We can do 1 p.m. EST tomorrow.

Best,

Molly Wells

mwells@fishmanhaygood.com

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New Orleans, Louisiana 70170

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From: Kovalenko, Nina <nkovalenko@paulweiss.com>

Sent: Monday, January 8, 2024 4:56 PM

To: Wells, Molly <mwells@fishmanhaygood.com>; Ehrlich, Andrew J <aehrlich@paulweiss.com>; Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>

Cc: Paschal, Hogan <hpaschal@fishmanhaygood.com>; Miller, Kerry <kmiller@fishmanhaygood.com>; Joseph Kaye <joseph@moskowitz-law.com>; Adam Moskowitz <Adam@moskowitz-law.com>; 'DBoies@bsfllp.com' <[dboies@BSFLLP.com](mailto:dboies@bsfllp.com)>; John Rodstrom <john@moskowitz-law.com>; Barbara C. Lewis <barbara@moskowitz-law.com>; Rejane Passos <rejane@moskowitz-law.com>; Joseph Saveri <jsaveri@saverilawfirm.com>; Jose Ferrer <jose@markmigdal.com>; desiree@markmigdal.com; Ritschard, Connor <critschard@paulweiss.com>

Subject: RE: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)

You don't often get email from nkovalenko@paulweiss.com. [Learn why this is important](#)

Thanks so much, Molly. How is 5 p.m. tomorrow?

Best,
Nina

Nina Kovalenko | Partner

Paul, Weiss, Rifkind, Wharton & Garrison LLP

1285 Avenue of the Americas | New York, NY 10019-6064
+1 212 373 3479 (Direct Phone) | +1 212 492 0479 (Direct Fax)
nkovalenko@paulweiss.com | www.paulweiss.com

Pronouns: She/Her

From: Wells, Molly <mwells@fishmanhaygood.com>

Sent: Monday, January 8, 2024 12:23 PM

To: Kovalenko, Nina <nkovalenko@paulweiss.com>; Ehrlich, Andrew J <aehrlich@paulweiss.com>; Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>

Cc: Paschal, Hogan <hpaschal@fishmanhaygood.com>; Miller, Kerry <kmiller@fishmanhaygood.com>; Joseph Kaye <joseph@moskowitz-law.com>; Adam Moskowitz

<Adam@moskowitz-law.com>; 'DBoies@bsfllp.com' <dBoies@BSFLLP.com>; John Rodstrom <john@moskowitz-law.com>; Barbara C. Lewis <barbara@moskowitz-law.com>; Rejane Passos <rejane@moskowitz-law.com>; Joseph Saveri <jsaveri@saverilawfirm.com>; Jose Ferrer <jose@markmigdal.com>; desiree@markmigdal.com; Ritschard, Connor <critschard@paulweiss.com>

Subject: RE: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)

Thank you, Nina, for your response. We would like to arrange a meet and confer to go over your letter. Do you have time later today or tomorrow for a phone call?

Best,

Molly Wells
mwells@fishmanhaygood.com

FishmanHaygood LLP

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From: Kovalenko, Nina <nkovalenko@paulweiss.com>
Sent: Friday, January 5, 2024 8:15 PM
To: Wells, Molly <mwells@fishmanhaygood.com>; Ehrlich, Andrew J <aehrlich@paulweiss.com>; Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>
Cc: Paschal, Hogan <hpaschal@fishmanhaygood.com>; Miller, Kerry <kmiller@fishmanhaygood.com>; Joseph Kaye <joseph@moskowitz-law.com>; Adam Moskowitz <Adam@moskowitz-law.com>; 'DBoies@bsfllp.com' <dBoies@BSFLLP.com>; John Rodstrom <john@moskowitz-law.com>; Barbara C. Lewis <barbara@moskowitz-law.com>; Rejane Passos <rejane@moskowitz-law.com>; Joseph Saveri <jsaveri@saverilawfirm.com>; Jose Ferrer <jose@markmigdal.com>; desiree@markmigdal.com; Ritschard, Connor <critschard@paulweiss.com>

Subject: RE: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)

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Counsel:

Please see the attached correspondence.

Regards,
Nina

Nina Kovalenko | Partner
Paul, Weiss, Rifkind, Wharton & Garrison LLP
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Pronouns: She/Her

From: Wells, Molly <mwells@fishmanhaygood.com>
Sent: Thursday, January 4, 2024 11:22 AM
To: Ehrlich, Andrew J <aehrllich@paulweiss.com>; Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>; Kovalenko, Nina <nkovalenko@paulweiss.com>
Cc: Paschal, Hogan <hpaschal@fishmanhaygood.com>; Miller, Kerry <kmiller@fishmanhaygood.com>; Joseph Kaye <joseph@moskowitz-law.com>; Adam Moskowitz <Adam@moskowitz-law.com>; 'DBoies@bsfllp.com' <dboies@BSFLLP.com>; John Rodstrom <john@moskowitz-law.com>; Barbara C. Lewis <barbara@moskowitz-law.com>; Rejane Passos <rejane@moskowitz-law.com>; Joseph Saveri <jsaveri@saverilawfirm.com>; Jose Ferrer <jose@markmigdal.com>; desiree@markmigdal.com
Subject: FW: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)

Good morning, all,

I write to follow up on the jurisdictional discovery we sent to you as counsel for Temasek on Friday, December 22nd, in accordance with Judge Moore's order granting the same.

Given the condensed timeline Judge Moore outlined for the discovery, we would like to arrange a meet and confer with you all tomorrow to discuss any objections you all may have. Please let us know your availability. In addition, please let us know what those objections are in advance of the call in order to facilitate a meaningful discussion.

If we do not hear from you all by the end of the day tomorrow regarding your objections and availability, we will assume that you all object to our requests in toto and will seek appropriate relief with the court.

Thanks.

Best,

Molly Wells
mwells@fishmanhaygood.com

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From: Paschal, Hogan <hpaschal@fishmanhaygood.com>
Sent: Friday, December 22, 2023 9:04 PM
To: Kelly, Ty <tykelly@bakerdonelson.com>; Bonaventure, Frank <fbonaventure@bakerdonelson.com>; Dorough, Marisa <mdorough@bakerdonelson.com>; Buchwald, Lara Samet <lara.buchwald@davispolk.com>; Martins, Tatiana R. <tatiana.martins@davispolk.com>; Cooney, Mallory M. <Mallory.Cooney@klgates.com>; Moore, Desiree F. <Desiree.Moore@klgates.com>; Ehrlich, Andrew J <ahrlich@paulweiss.com>; Karp, Brad S <bkarp@paulweiss.com>; Beer, Alex <abeer@paulweiss.com>; Kovalenko, Nina <nkovalenko@paulweiss.com>; Adam Fels <afels@ffslawfirm.com>; mmix@morrisoncohen.com; vupadhyaya@morrisoncohen.com; jgottlieb@morriseoncohen.com
Cc: Swanson, James R. <jswanson@fishmanhaygood.com>; Miller, Kerry <kmiller@fishmanhaygood.com>; Wells, Molly <mwells@fishmanhaygood.com>; jsaveri@saverilawfirm.com; rlieff@lieff.com; cyoung@saverilawfirm.com; Reichard, Benjamin D. <breichard@fishmanhaygood.com>; Itak Moradi <imoradi@saverilawfirm.com>; Louis Kessler <lkessler@saverilawfirm.com>; David Lerch <dlerch@saverilawfirm.com>; Richards, Lara K. <lrichards@fishmanhaygood.com>; Veith, Rebekka C. <rveith@fishmanhaygood.com>
Subject: FW: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)

Counsel,

I'm forwarding the correspondence below regarding jurisdictional discovery in the above captioned matter and attaching the discovery requests referenced therein.

Best and happy holidays,
Hogan

Hogan Paschal
hpaschal@fishmanhaygood.com

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201 St. Charles Avenue, 46th Floor
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From: Adam Moskowitz <Adam@moskowitz-law.com>
Sent: Friday, December 22, 2023 3:09 PM
To: 'jneiman@mnrlawfirm.com' <jneiman@mnrlawfirm.com>; 'mphilip@mnrlawfirm.com' <mphilip@mnrlawfirm.com>; 'bfloch@mnrlawfirm.com' <bfloch@mnrlawfirm.com>; 'mordenes@mnrlawfirm.com' <mordenes@mnrlawfirm.com>; 'jmarcus@mnrlawfirm.com' <jmarcus@mnrlawfirm.com>; 'mordenes@mnrlawfirm.com' <mordenes@mnrlawfirm.com>; 'mpineiro@mnrlawfirm.com' <mpineiro@mnrlawfirm.com>; 'mordenes@mnrlawfirm.com' <mordenes@mnrlawfirm.com>; 'abrettler@berkbrettler.com' <abrettler@berkbrettler.com>; 'Susan Engel@lw.com' <Susan.Engel@lw.com>; 'Jessica.StebbinsBina@lw.com' <Jessica.StebbinsBina@lw.com>; 'Andrew.Clubok@lw.com' <Andrew.Clubok@lw.com>; 'Brittany.Record@lw.com' <Brittany.Record@lw.com>; 'Elizabeth.Greenman@lw.com' <Elizabeth.Greenman@lw.com>; 'Marvin.Putnam@lw.com' <Marvin.Putnam@lw.com>; 'michele.johnson@lw.com' <michele.johnson@lw.com>; 'Bob@colson.com' <Bob@colson.com>; 'scasey@colson.com' <scasey@colson.com>; 'zach@colson.com' <zach@colson.com>; 'tlydon@mgclaw.com' <tlydon@mgclaw.com>; 'Eshaba@dkrpa.com' <Eshaba@dkrpa.com>; 'APeraza@dkrpa.com' <APeraza@dkrpa.com>; 'DRothstein@dkrpa.com' <DRothstein@dkrpa.com>; 'eric.fitzgerald@mgclaw.com' <eric.fitzgerald@mgclaw.com>; 'hillary.ladov@mgclaw.com' <hillary.ladov@mgclaw.com>; 'Lorenza B. Ospina' <lorie@moskowitz-law.com>; 'MKahn@gibsondunn.com' <MKahn@gibsondunn.com>; 'christopher.carver@akerman.com' <christopher.carver@akerman.com>; 'jason.oletsky@akerman.com' <jason.oletsky@akerman.com>; 'katie.johnson@akerman.com' <katie.johnson@akerman.com>; 'jmishkin@mmwr.com' <jmishkin@mmwr.com>; 'danielscottfriedberg@gmail.com' <danielscottfriedberg@gmail.com>; 'defink@Venable.com' <defink@Venable.com>; 'stephanie.avakian@wilmerhale.com' <stephanie.avakian@wilmerhale.com>; 'agoldstein@cooley.com' <agoldstein@cooley.com>; Rejane Passos <rejane@moskowitz-law.com>; lcarlsen <lcarlsen@bsfllp.com>; Tyler Ulrich <tulrich@BSFLLP.com>; Marc Ayala <mayala@bsfllp.com>; David Boies2 <xboies@gmail.com>; Robert Lieff <rlieff@lieff.com>
Cc: Alex Boies <ABoies@BSFLLP.com>; 'David Boies2' <xboies@gmail.com>; 'Stuart Grossman' <SZG@grossmanroth.com>; Stephen N. Zack <SZack@BSFLLP.com>; Brooke Alexander <balexander@bsfllp.com>; Tyler Ulrich <tulrich@BSFLLP.com>; Jose M. Ferrer <jose@markmigdal.com>; Michelle Genet Bernstein <michelle@markmigdal.com>; Miller, Kerry <kmiller@fishmanhaygood.com>; Wells, Molly <mwells@fishmanhaygood.com>; Paschal, Hogan <hpaschal@fishmanhaygood.com>; Howard Bushman <Howard@moskowitz-law.com>; David Khazen <David@moskowitz-law.com>; John Rodstrom <john@moskowitz-law.com>; Jose M. Ferrer <jose@markmigdal.com>; Desiree Fernandez <desiree@markmigdal.com>
Subject: RE: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Discovery Orders)

Dear FTX Defense Counsel: We hope you all have a happy and healthy holiday. Earlier this week, we all reviewed the Court's new Orders (DE 422 and DE 423]: (1) allowing the class to serve jurisdictional discovery upon the appropriate Defendants, and (2) appointing a Magistrate to decide and rule upon, any and all objections raised to this jurisdictional discovery (see Footnote 3 of DE 422).

As per Court Order, we will serve each Defendant with jurisdiction discovery today. The Court has set

a very tight time table, so here is our schedule: (1) Defendants will raise any and all objections with the Magistrate by January 5th (2 weeks), (2) any defendant that raises objections will contact Brooke and Joey to arrange meet and confer sessions, to take place between January 5th-9th, (3) we will request the Magistrate rule upon any remaining objections by January 12th, (4) we will conduct the depositions as per the Notices, but please let Brooke and Joey know if you would like to suggest a change to any of the dates and/or locations, (5) the Court required us to complete all of this jurisdictional discovery by Thursday, February 1st, and (6) we can file any Supplements with the Court on jurisdiction by February 16th.

Thank you for all of your cooperation and professionalism and have a wonderful holiday and new year. Adam and David

PS: Please make sure to forward this email to any FTX defense counsel that has been added since our last group email.

Adam M. Moskowitz
The Moskowitz Law Firm
Continental Plaza
3250 Mary Street
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Miami, FL 33133
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adam@moskowitz-law.com

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From: Adam Moskowitz
Sent: Tuesday, March 7, 2023 4:18 PM
To: jneiman@mnrlawfirm.com; mphillip@mnrlawfirm.com; bfloch@mnrlawfirm.com; mordenes@mnrlawfirm.com; jmarcus@mnrlawfirm.com; mordenes@mnrlawfirm.com; mpineiro@mnrlawfirm.com; mordenes@mnrlawfirm.com; abrettler@berkbrettler.com; Susan Engel@lw.com; Jessica.StebbinsBina@lw.com; Andrew.Clubok@lw.com; Brittany.Record@lw.com; Elizabeth.Greenman@lw.com; Marvin.Putnam@lw.com; michele.johnson@lw.com; Bob@colson.com; scasey@colson.com; zach@colson.com; tlydon@mgclaw.com; Eshaba@dkrpa.com; APeraza@dkrpa.com; DROthstein@dkrpa.com; eric.fitzgerald@mgclaw.com; hillary.ladov@mgclaw.com; Lorenza B. Ospina <lorie@moskowitz-law.com>; MKahn@gibsondunn.com; christopher.carver@akerman.com; jason.oletsky@akerman.com; katie.johnson@akerman.com; jmishkin@mmwr.com; danielscottfriedberg@gmail.com; defink@Venable.com; stephanie.avakian@wilmerhale.com; agoldstein@cooley.com
Cc: aboies@bsflp.com; David Boies2 <xboies@gmail.com>; Stuart Grossman <SZG@grossmanroth.com>; Stephen N. Zack <szack@bsflp.com>; Brooke Alexander <balexander@bsflp.com>; tulrich@BSFLLP.com; José Ferrer <jose@markmigdal.com>; Michelle Genet Bernstein <Michelle@markmigdal.com>
Subject: Activity in Case 1:22-cv-23753-KMM Garrison v. Bankman-Fried et al (Joint Scheduling Report)

To all FTX Defendants and their Counsel:

All of you should have reviewed the recent Order by Judge Moore, which requires the Parties to comply with the prior Order and file the Joint Scheduling Order by this Friday. Attached is a fully drafted JSO and we certainly look forward to reviewing your revisions, suggestions and/or edits this week. Please let us know if you have selected one (or more) counsel to serve as Liaison Counsel, but in the abundance of caution, we have copied all counsel (and *pro se*) of record.

We have spent great efforts (4 different service companies) trying to get all of you served with our Complaint. Since we filed this action many weeks ago, we appreciate that many of you have been cooperative, have proactively accepted service of the complaint, and have entered your appearances. Others have been more difficult to serve and are now joining these proceedings, either *pro se* or through counsel. Only one, however, has chosen instead to evade service, in order to draw out these proceedings, or to otherwise attempt to avoid answering for these allegations.

In any event, Defendants have now been served and are before the Court (or will soon be). The sole remaining Defendant to accept service of the complaint is Defendant Mr. Shaquille O'Neal, who we know has discussed the existence of this case, but is apparently still actively evading service, refusing to answer his home door when approached by our

process servers. We have reached out to his last known litigation counsel, and if any defense counsel are aware of who will represent Mr. O'Neal in this action (or are in contact with Mr. O'Neal), please forward this email to them, so we can ensure all Defendants are served and join in this Meet and Confer.

In furtherance of this goal, and in accordance with the Court's Order, attached for Defendants' review and input is a draft proposed Joint Conference Report and proposed Scheduling Order. We have included Plaintiffs' position and designated areas for Defendants to include their respective positions, to the extent they differ from Plaintiffs'. Please advise when there are points that are not in dispute so we can revise those points to be made jointly.

We will hold the Joint Scheduling Conference to discuss the report via Zoom on Thursday at 1:00pm EST, so we can all discuss any and all points in dispute and finalize the report for filing by Friday afternoon, as Ordered by the Court. We will send a calendar invite with Zoom information to each of you, so please forward the instructions to anyone and everyone that you know will be involved in this matter, but are not copied on this email.

Thank you,

Adam Moskowitz and David Boies

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